

199—39.6(476) Universal service certification.

39.6(1) *Certification to be filed with the board.* Any carrier desiring to continue to receive federal high-cost universal service support shall file with the board no later than May 1 of each year an original and two copies of an affidavit and shall file one copy with the consumer advocate division of the department of justice.

39.6(2) *Content of certification.* Each affidavit shall be titled “Certification of [Company Name].” The company name shall be the same name shown on the carrier’s tariff as filed with the board. If the ETC does not file tariffs with the board, the ETC shall provide the name used on its initial application for ETC designation and its current name, if its name has changed. The affidavit shall include the study area code (SAC) number associated with the company. The affidavit shall be sworn and notarized and shall be executed by an authorized corporate officer. The affidavit shall certify that the carrier will use the support the carrier receives pursuant to FCC regulations or successor regulations concerning high-cost universal service support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. In addition, the affidavit shall certify that the carrier will comply with applicable service quality standards and consumer protection rules, certify that the carrier is able to maintain backup power for a minimum of two hours to ensure functionality without an external power source, certify that the carrier is offering a local usage plan comparable to that offered by the ILEC in the relevant service areas, and certify that the carrier acknowledges that the FCC may require it to provide equal access to long distance carriers in the event that no other eligible carrier is providing equal access within the ETC’s designated service area. The affidavit shall also certify to the following: As an eligible telecommunications carrier, the carrier agrees to provide timely responses to board requests for information related to the status of local voice service markets or facilities.

39.6(3) *Certifications subject to complaint or investigation.* Any certification filed by a carrier shall be subject to complaint or investigation or both by the board.

CERTIFICATION OF [COMPANY NAME]

STATE OF IOWA

COUNTY OF _____

I, [authorized corporate officer], [office], [company name], being of lawful age and duly sworn, depose and state:

[Company name], [SAC number], will use the support [company name] received pursuant to 47 CFR §§ 54.301, 54.305, or 54.307, or Part 36, Subpart F, of FCC regulations or successor regulations concerning high-cost universal service support, only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. In addition, [company name] certifies that it will comply with applicable service quality standards and consumer protection rules, certifies that it is able to maintain a minimum of two hours of backup power to ensure functionality without an external power source, certifies that it is offering a local usage plan comparable to that offered by the ILEC in the relevant service areas, and certifies that it acknowledges that the FCC may require it to provide equal access to long distance carriers in the event that no other eligible carrier is providing equal access, within [company name’s] ETC designated service area. As an eligible telecommunications carrier, [company name] agrees to provide timely responses to board requests for information related to the status of local voice service markets or facilities.

I further state that I am authorized by [company name] to make this statement.

[authorized officer]

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public

